

M. A. K. L., J.

BROWN GAVALAS & FROMM LLP
 Attorneys for Plaintiff
 ENERGY SHIPPING S.p.A.
 355 Lexington Avenue
 New York, New York 10017
 212-983-8500

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 ENERGY SHIPPING S.p.A.,

Plaintiff,

-against-

QANNAS SHIPPING CO. and EMIRATES
 TRADING AGENCY LLC,

Defendants.

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| USDS SDNY |
| DOCUMENT |
| ELECTRONICALLY FILED |
| DOC #: |
| DATE FILED: <u>12-7-07</u> |

07 Civ. 1837 (VM)

**NOTICE OF DISMISSAL AND
 ORDER DIRECTING
 WITHDRAWAL AND
 CANCELLATION OF RULE B
ATTACHMENT**

1. On application of the Plaintiff, the original and supplemental process of maritime attachment and garnishment issued in this action is hereby withdrawn.

2. Garnishee, Mashreq Bank, which is restraining property of the defendant EMIRATES TRADING AGENCY LLC in the amount of \$159,397.94, is hereby directed to release those funds and otherwise remove any restraints imposed upon same by virtue of the subject attachment.

3. On consent of defendant EMIRATES TRADING AGENCY LLC, all funds held by said Garnishee shall be remitted without delay to the following Attorney Escrow Account:

Settlement Escrow Account :
 Citibank, N.A.
 120 Broadway
 New York, NY 10271
 SWIFT Code: CITIUS33
 ABA No. 021 000 089
 Account No. 37032209 - United States Dollars
 Payee Name: Freehill, Hogan & Maher
 NYDOCS1/295074.1

4. This action is dismissed with prejudice and without costs to either party.

Dated: New York, New York
December 7, 2007

SO ORDERED: 7 December 2007

U.S.D.J. Victor Marrero